UNITED STATES PATENT AND TRADEMARK OFFICE

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09/755,738	01/05/2001	Michelle R. Sandholm	ISAA0011	3743

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GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER
THAI, CANG G

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/755,738	SANDHOLM ET AL.
		Examiner	Art Unit
		Cang G. Thai	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *January 5, 2001.*

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-85* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-85* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-84 and 85 are rejected under 35 U.S.C. 101 because the claim of

invention is directed to non-statutory subject matter.

In order for the claimed invention to be statutory subject matter, the claimed

invention must fall within one of the statutory classes of invention as set forth in § 101

(i.e. a process, machine, manufacture, or composition of matter which has practical

application in the technological arts).

In the present case, Claims 1 and 85 are directed to a method product for

"developing a multi-channel marketing database", which is not within one of the classes

of invention set forth in § 101.

The method product for "developing a multi-channel marketing database

comprising the steps of:

a)   providing a first phase for planning,

b)   providing second phase for discovery,

c)   providing a third phase for design,

d)   providing a forth phase of development, and

e)   providing a fifth phase for deployment.

In the above claim, it is merely an abstract idea and does not produce a useful,

tangible, concrete results-which has practical application in the technological arts.

The method product for "developing a multi-channel marketing database" including the steps of (a)-(e) as shown are merely an abstract idea and does not reduce to a practical application in the technological arts (i.e. interaction in the steps with the computer/computer network or other equivalent means) and are therefore are found to be non-statutory. See *In re Alappat*, 33 F.3d at 1544, 31 USPQ2d at 1557, or *In re Waldbaum*, 173 USPQ 430 (CCPA 1972) or *In re Musgrave*, 167 USPQ (CCPA 1970) and *In re Johnston*, 183 USPQ 172.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3.   Claims 1-84, and 85 are rejected under 35 U.S.C. 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claims 1 and 85 recite "database" and "communication media". The preamble mentions the term "database", which normally means, "a usu. large collection of data organized esp. for rapid search or retrieval (as by a computer)", but there is no step of "characteristic" of the entity. The term "communication media", which normally means, "an act or instance of transmitting a mass media", but there is no step of "characteristic" of the entity. Are the steps being done manually or automatically? It is also not clear on how the steps are being done?

Claim 25 recites "calculations". Where are the steps of inputting the information prior to performing calculations?

Claim 26 recites "database update requirements". Is the step being done manually or automatically?

Claim 35, recites "ordering multi-channel marketing database software". Is the step ordering being done manually or automatically?

Claim 39 recites "data analysis review". Who is reviewing the data? Where is the data being stored?

Claim 40 recites "updating database specifications". Is the updating being done manually or automatically? Are the specifications previously stored in the database?

Claim 48 recites "analyzing test load and update files". Where are the steps of entering test load and performing the calculations? Is the update files being done manually or automatically?

Claim 49 recites "creating a physical data model". Is creating a physical model being done manually or automatically by the computer?

Claim 55 recites "creating a test database". How is the step of creating a test database being done?

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act
of 1999 (AIPA) and the Intellectual Property and High Technology Technical
Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting
directly or indirectly from an international application filed before November 29, 2000.
Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior
to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.   Claims 1-84 and 85 are rejected under 35 U.S.C. 102(e) as being anticipated by
U.S. Patent No. 6,725,399 (BOWMAN).

As for Claim 1, BOWMAN discloses a method for developing a multi-channel
marketing database, method comprising the steps of:

a)   providing a first phase for planning {Column 2, Lines 44-47, wherein this reads

        over "key process area a test plan is created which defines the scope of the

        software tests, the approach to complete the test, resources required and the

        acceptance criteria for the test"},

b)   providing second phase for discovery {Column 2, Lines 61-63, wherein this reads

        over "key process area is results analysis wherein a review identifies the areas of

        the software that need to be repaired and ultimately re-tested"}. It appears that

        this step (b) is the act or process of discovery.

c)   providing a third phase for design {Column 2, Lines 51-53, wherein this reads

        over "key process area is test environment preparation which is used to establish

        a controlled technical environment for the application of the test cases"}. It

appears that this step (c) is a protocol for carrying out or accomplishes something during design.

d)   providing a forth phase of development {Column 2, Lines 48-50, wherein this reads over "key process area is test case development where in the test cases that support the plan are created to validate software functions}, and

e)   providing a fifth phase for deployment {Column 2, Lines 57-60, wherein this reads over "key process area is test execution wherein the test cases defined"}. It appears this step (e) is the result of the test.

As for Claim 2, BOWMAN discloses one in five phases are complete, and on-going support and maintenance mode is provided {Column 4, Lines 16-18, wherein this reads over "process analysis on a requirements basis wherein the end user's needs are supported by an independent vendor software program}.

As for Claim 3, BOWMAN discloses wherein method is again followed if enhancement projects are required once in five phases are complete {Column 4, Lines 62-64, wherein this reads over "correct test case execution dependencies must be established and used to control the flow of the tests as they are executed"}.

As for Claim 4, BOWMAN discloses wherein planning step further comprises the step of project formation {Column 6, Lines 7-8, wherein this reads over "quantify the degree to which the application supports the business requirements that drove its development"}.

As for Claim 5, BOWMAN wherein the project formations step further comprises the step of reviewing client expectations {Column 6, Lines 18-19, wherein this reads over "complete software testing activity within project cost parameters"}.

As for Claim 6, BOWMAN discloses wherein project formation step further comprises the step of defining project participants and roles {Column 6, Lines 16-17, wherein this reads over "complete software testing activity within project schedule parameters"}.

As for Claim 7, BOWMAN discloses wherein the project formation step further comprises the step of creating a project plan {Column 5, Lines 59-60, wherein this reads over "creating customized payroll solutions for companies in the retail industry"}.

As for Claim 8, BOWMAN discloses wherein planning step further comprises the step of project initiation {Column 5, Lines 45-47, wherein this reads over "the initial release, the application will process the entire payroll processing for the company"}.

As for Claim 9, BOWMAN discloses wherein project initiation step further comprises the step of planning a client kick-off meeting {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 10, BOWMAN discloses wherein project initiations step further comprise the step of reviewing client executive sponsor responsibilities {Column 6, Lines 2-5, wherein this reads over "the overall goal of this test is to adequately test the

new payroll software to determine its ability to support the employee growth expected

as part of the company business plan"}.

As for Claim 11, BOWMAN discloses wherein project initiations step further

comprise the step of establishing project communication standards {Column 9, Lines

29-31, wherein this reads over "communication will take place over the existing private

IP network and security will be handled using an existing online security database"}.

As for Claim 12, BOWMAN discloses wherein project initiations step further

comprises the step of preparing company team members for discovery {Column 9,

Lines 34-36, wherein this reads over "controlled data (data that will yield predictable

results) needs to be available for testing; the process used to obtain this data should be

documented for use in the future projects"}.

As for Claim 13, which has same limitation as in Claim 9, therefore, it is rejected

for the similar reasons set forth in Claim 9.

As for Claim 14, BOWMAN discloses wherein discovery step further comprises

the step of business requirements gathering {Column 6, Lines 7-8, wherein this reads

over "quantify the degree which the application supports the business requirements that

drove its development"}.

As for Claim 15, BOWMAN discloses wherein business requirements gathering

step further comprises the step of reviewing a client's mission statement and business

objectives {Column 6, Lines 2-5, wherein this reads over "the overall goal of this test is

to adequately test the new payroll software to determine its ability to support the

employee growth expected as part of the company's business plan"}.

As for Claim 16, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's organizational structure {Column 6, Lines 9-10, wherein this reads over "provide recommendations for a release decision based on the quantified results"}.

As for Claim 17, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's product and/or service offerings {Column 6, Lines 32-33, wherein this reads over "update the name, insurance, salary, department, and benefits fields in the employee record"}.

As for Claim 18, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's target market and competition {Column 1, Lines 12-14, wherein this reads over "suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements"}. It appears that effectiveness achieved by a computer program or software would read over the target market and competition.

As for Claim 19, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's campaign management strategies {Column 1, Lines 12-14, wherein this reads over "suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements"}. It appears that effectiveness achieved by a computer program or software would read over a client's campaign management strategies.

As for Claim 20, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's critical success factors {Column 1,

Lines 12-14, wherein this reads over "suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements"}. It appears that effectiveness achieved by a computer program or software would read over the critical success factors.

As for Claim 21, BOWMAN discloses wherein discovery step further comprises the step of multi-channel marketing database requirements gathering {Column 57, Lines 66-67, wherein this reads over "performing a full upgrade between the source and the target database"}. It appears that performing a full upgrade would read over the discovery step further comprises of multi-channel marketing database.

As for Claim 22, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database reports and templates {Column 5, Lines 62-63, wherein this reads over "analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 23, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing a client's additional requirements {Column 5, Lines 62-63, wherein this reads over "analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 24, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database data feeds {Column 6, Lines 3-5, wherein this reads over "the

ability to support the employee growth expected as part of the company's business plan"}.

As for Claim 25, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database calculations {Column 5, Lines 1-2, wherein this reads over "test result analysis, wherein test results logged in key process area are reviewed"}.

As for Claim 26, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing update requirements {Column 6, Lines 32-33, wherein this reads over "updated name, insurance, salary, department, and benefits fields in the employee record"}.

As for Claim 27, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database access requirements {Column 6, Lines 35-36, wherein this reads over "delete both individual employee records as well as purge all employee records from the database"}.

As for Claim 28, BOWMAN discloses wherein discovery step further comprises the step of technical requirements gathering {Column 6, Lines 7-8, wherein this reads over "quantify the degree to which the application supports the business requirements that drove its development"}.

As for Claim 29, BOWMAN discloses wherein technical requirements gathering step further comprises the step of reviewing connectivity, user access, and support

requirements {analyst personnel from the ISV (vendor) will define both the application

and technical requirements for the application"}.

As for Claim 30, BOWMAN discloses wherein technical requirements gathering

step further comprises the step of reviewing retention, backup, and security

requirements {Column 30, Lines 6-6, wherein this reads over "database size and space

requirements (need to ensure that enough server space is being allocated for rollbacks,

table sizing, backups, etc."}.

As for Claim 31, BOWMAN discloses wherein technical requirements gathering

step further comprises the step of reviewing future migration requirements {Column 10,

Lines 29-34, wherein this reads over "the involvement of the HR management and

business analyst personnel will mitigate this risk"}.

As for Claim 32, BOWMAN discloses wherein discovery step further comprises

the step of discovery document compilation {Column 58, Lines 51-52, wherein this

reads over "incremental backups will be done for every day of the work week except the

last day"}.

As for Claim 33, BOWMAN discloses wherein discovery step further comprises .

the step of discovery document delivery {Column 5, Lines 1-2, wherein this reads over

"test results analysis, wherein test results logged in key process area are reviewed"}.

As for Claim 34, BOWMAN discloses wherein design step further comprises the

step of preparing company team members for design {Column 4, Lines 4-7, wherein this

reads over "a management report typically would be developed which contains

descriptions and recommendations for improvement"}. It appears that a management

report is also referring to the company team members for design.

As for Claim 35, BOWMAN discloses wherein design step further comprises the

step of ordering multi-channel marketing database software {Column 9, Lines 61-62,

wherein this reads over "the Microsoft Office products will be used to assist the test

team in completing this area plan"}.

As for Claim 36, BOWMAN discloses wherein design step further comprises the

step of planning a design meeting {Column 2, Lines 43-47, wherein this reads over "test

plan is created which defines the scope of the software test, the approach to complete

the test, resources required and the acceptance criteria for the test"}.

As for Claim 37, BOWMAN discloses wherein design step further comprises the

step of conducting a design meeting {Column 7, Lines 43-47, wherein this reads over

"test plan is created which defines the scope of the software test, the approach to

complete the test, resources required and the acceptance criteria for the test"}.

As for Claim 38, BOWMAN discloses wherein conducting a design meeting step

further comprises the step of data mapping {Column 5, Lines 5-7, wherein this reads

over "software system's readiness as defined by the test plan created in key process

area are collected"}.

As for Claim 39, BOWMAN discloses wherein conducting a design meeting step

further comprises the step of data analysis review {Column 5, Lines 7-8, wherein this

reads over "the test results analysis process is shown schematically in results analysis

process"}.

As for Claim 40, BOWMAN discloses wherein conducting a design meeting step further comprises the step of updating database specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 41, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining calculation specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 42, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining mapping, report, and query template specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 43, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining campaign management specifications and schedules {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 44, BOWMAN discloses wherein design step further comprises the step of design document compilation {Column 9, Lines 34-35, wherein this reads over

"controlled data (data that will yield predictable results) needs to be available for

testing"}.

As for Claim 45, BOWMAN discloses wherein design step further comprises the

step of design document delivery {Column 9, Lines 34-35, wherein this reads over

"controlled data (data that will yield predictable results) needs to be available for

testing"}.

As for Claim 46, which has same limitation as in Claim 36, therefore, it is rejected

for the similar reasons set forth in Claim 36.

As for Claim 47, which has same limitation as in Claim 37, therefore, it is rejected

for the similar reasons set forth in Claim 37.

As for Claim 48, BOWMAN discloses wherein development step further

comprises the step of analyzing test load and update files {Column 9, Lines 34-36,

wherein this reads over "controlled data (data that will yield predictable results) needs to

be available for testing. The process used to obtain this data should be documented for

use in the future projects."}.

As for Claim 49, BOWMAN discloses wherein development step further

comprises the step of creating a physical data model {See Column 68, Lines 47-66,

Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 50, BOWMAN discloses wherein development step further

comprises the step of creating/ modifying specifications {Column 5, Lines 61-63,

wherein this reads over "ABC HR (client) specialist working conjunction with analyst

personnel from the ISV (vendor) will define both the application and technical

requirements for the application"}.

As for Claim 51, BOWMAN discloses wherein creating/ modifying specifications

step further comprises the step of performing data preparation and determining

integration specifications for initial load and on-going updates {Column 5, Lines 61-63,

wherein this reads over "ABC HR (client) specialist working conjunction with analyst

personnel from the ISV (vendor) will define both the application and technical

requirements for the application"}.

As for Claim 52, BOWMAN discloses wherein creating/ modifying specifications

step further comprises the step of developing database management specifications for

Initial Load and On-Going Updates {Column 5, Lines 61-63, wherein this reads over

"ABC HR (client) specialist working conjunction with analyst personnel from the ISV

(vendor) will define both the application and technical requirements for the application"}.

As for Claim 53, BOWMAN discloses wherein creating/ modifying specifications

step further comprises the step of developing report specifications {Column 5, Lines 61-

63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst

personnel from the ISV (vendor) will define both the application and technical

requirements for the application"}.

As for Claim 54, BOWMAN discloses wherein creating/ modifying specifications

step further comprises the step of developing query templates specifications {Column 5,

Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction

with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 55, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of creating a test database {See Column 68, Lines 47-66, Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 56, BOWMAN discloses wherein development step further comprises the step of creating one or more unit and system test plans {See Column 68, Lines 47-66, Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 57, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of data preparation and developing test plans for initial load and on-going updates {Column 7, Lines 53-58, wherein this reads over "acceptance testing is generally developed and performed by the client or application specialist and is conducted to determined whether a system satisfies its acceptance criteria by validating that requirements have been met, including the documentation and business processes"}.

As for Claim 58, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing database management test plans for initial load and on-going updates {Column 8, Lines 1-2, wherein this reads over "regression testing is often a repeating process a testing cycle"}.

As for Claim 59, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing report test plans

{Column 8, Lines 1-2, wherein this reads over "regression testing is often a repeating process a testing cycle"}.

As for Claim 60, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing query template test plans {Column 8, Lines 1-2, wherein this reads over "regression testing is often a repeating process a testing cycle"}.

As for Claim 61, BOWMAN discloses wherein development step further comprises the step of creating/ modifying programs and routines {Column 8, Lines 1-2, wherein this reads over "regression testing is often a repeating process a testing cycle"}.

As for Claim 62, which has same limitation as in Claim 62, therefore, it is rejected for the similar reasons set forth in Claim 62.

As for Claim 63, which has same limitation as in Claim 36, therefore, it is rejected for the similar reasons set forth in Claim 36.

As for Claim 64, BOWMAN discloses wherein creating/ modifying programs and routines step further comprises the step of developing report programs {Column 5, Line 52, wherein this reads over "reporting on payroll processing"}.

As for Claim 65, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 66, BOWMAN discloses wherein development step further comprises the step of performing unit/ system tests {Column 7, Lines 32-33, wherein this reads over "system testing is the tasting of a configuration to ensure known and predictable results"}.

As for Claim 67, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 68, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 69, which has same limitation as in Claim 59, therefore, it is rejected for the similar reasons set forth in Claim 59.

As for Claim 70, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 71, which has same limitation as in Claim 68, therefore, it is rejected for the similar reasons set forth in Claim 68.

As for Claim 72, which has same limitation as in Claim 70, therefore, it is rejected for the similar reasons set forth in Claim 70.

As for Claim 73, BOWMAN discloses wherein development step further comprises the step of configuring internal end-user tools {Column 7, Lines 31-32, wherein this reads over "system testing is the tasting of a configuring to ensure known and predictable results"}.

As for Claim 74, BOWMAN discloses wherein development step further comprises the step of performing database tuning {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 75, BOWMAN discloses wherein development step further comprises the step of preparing for deployment tool training {See Fig. 2, Element 1.1 – Business Requirement Review}.

As for Claim 76, BOWMAN discloses wherein development step further comprises the step of constructing a deployment plan {See Fig. 2, Element 1.2 – Define/Refine Test Scope}.

As for Claim 77, BOWMAN discloses wherein deployment step further comprises the step of planning a deployment meeting {See Fig. 2, Element 1.8 – Test Plan Approval}.

As for Claim 78, BOWMAN discloses wherein deployment step further comprises the step of conducting a deployment meeting {See Fig. 2, Element 1.8 – Test Plan Approval}.

As for Claim 79, BOWMAN discloses wherein deployment step further comprises the step of analyzing live load files {See Fig. 13, Element ID 112 – Data Verification}. Data Verification would reads over analyzing live load files.

As for Claim 80, BOWMAN discloses wherein deployment step further comprises the step of creating a live database {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 81, BOWMAN discloses wherein creating a live database step further comprises the step of processing live data and populating a live database {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 82, BOWMAN discloses wherein deployment step further comprises the step of carrying out a deployment plan {See Fig. 2, Element 1.7 – Test Plan Refinement}.

As for Claim 83, BOWMAN discloses wherein deployment step further comprises the step of conducting a company post-project review {See Fig. 2, Element 1.10 – Final Test Plan Walkthrough}. This process must be conducted prior to End Process.

As for Claim 84, BOWMAN discloses wherein deployment step further comprises the step of conducting a client post-project review {See Fig. 2, Element 1.10 – Final Test Plan Walkthrough}. This process must be conducted prior to End Process.

As for Claim 85, which has same limitation as in Claim 1, therefore, it is rejected for the similar reasons set forth in Claim 1.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I.   <u>U.S. Patent:</u>

1)   U.S. Patent No. 6,738,736 (BOND) is cited to teach modeling and planning function in an information technology,

2)   U.S. Patent No. 6,256,773 (BOWMAN-AMUAH) is cited to teach development architecture framework as components in the framework change, and

3)   U.S. Patent No. 6,662,357 (BOWMAN-AMUAH) is cited to teach managing information in a development architecture framework

II.   <u>Foreign Patent:</u>

1)   EP000770967A2 (SCHMIDT ET AL.) is cited to teach decision support system for the management of an agile supply chain that provides an

architecture including a server side and a client sidedynamic tariff

comparison and selection system for determining the most favorable

telecommunications service provider.

III.   Non-Patent Literature:

1)   Chia, Esmond, "An in-depth look at Customer Relationship Management",

December 13, 2000, E-Business II Final Paper, GBUS 888 A, Pages 1-15.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang G. Thai whose telephone number is (703) 305-0553. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
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JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600